



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/087,658	05/30/98	KAMINSKI	STK98-2

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EXAMINER

WEAVER, S

ART UNIT	PAPER NUMBER
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3727

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DATE MAILED: 10/12/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/087,658

Applicant(s)
KAMINSKI

Examiner
Sue A. Weaver

Group Art Unit
3727



☒ Responsive to communication(s) filed on Jul 26, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 3-9, and 13-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1, 3-9, and 13-15 is/are allowed.

☒ Claim(s) 16 is/are rejected.

☒ Claim(s) 17-20 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Jul 26, 1999 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 7/26/99 have been approved.

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. The objections to the disclosure made in paragraphs 2 and 3 of the previous Office action are withdrawn in view of the amendment received 7/26/99.

3. The rejection of claims 16-20, under 35 USC 112, Second paragraph, made in paragraph 5 of the previous Office action is also withdrawn in view of applicant's amendment received 7/26/99.

4 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Michaud et al, of record.

Note the stop at 12 for the card holder of Michaud et al.

5. Claims 1, 3-9 and 13-15 are allowed.

6 Claims 17 and thus 18 and 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7 Applicant's arguments with respect to claim 16 have been considered but are moot in view of the new ground(s) of rejection.

Therefore, claim 16 remains rejected while claims 2 and 10-12 have been canceled, claims 3-9 and 13-15 allowed and claims 17-20 objected to.

8 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue A. Weaver whose telephone number is (703) 308-1186 on Tuesday-Friday.

In order to reduce pendency and avoid potential delays, Group 3720 is encouraging Faxing of responses to Office actions directly into the Group at (703) 305-3579. This practice may be used for filing papers not requiring a fee. It may also be used to file papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and Art Unit 3727 at the top of your cover sheet.

If in receiving this Office action it is apparent to applicant that certain documents are missing, e.g., copies of references cited, form PTO-1449, form PTO-892, etc., requests for copies of such papers should be directed to Ebony Smith at (703) 305-3570.



Sue A. Weaver
Primary Examiner

SW

October 2, 1999